

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

**SADEKA SUID and ZUHAR SUID as father
and next of friend for ABDALLAH SUID,
a minor,**

2005-CV-0087

Plaintiffs,

v.

KMART CORPORATION,

Defendant.

**TO: Lee J. Rohn, Esq.
Wilfredo A. Geigel, Esq.**

ORDER GRANTING PLAINTIFFS' MOTION TO COMPEL

THIS MATTER came before the Court upon the Plaintiffs' Motion to Compel Defendant Kmart (Docket No. 99). The time for filing a response has expired.

In said motion, Plaintiffs claim that Defendant agreed to supplement its response to Plaintiffs' Demand For Production No. 7, specifically, that Defendant would produce a copy of its Loss Control Manual. Plaintiffs assert that Defendant has failed to produce the document. In support of their motion, Plaintiffs attached, as Exhibit 3, a copy of correspondence from counsel to counsel for Defendant, wherein counsel confirms Defendant's agreement.

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Having considered the premises and upon due consideration thereof and in the absence of any opposition, the Court will grant the motion.

Accordingly, it is now hereby **ORDERED**:

1. Plaintiffs' Motion to Compel Defendant Kmart (Docket No. 99) is
GRANTED.
2. Defendant shall, within ten (10) days from the date of entry of this order, serve upon counsel for Plaintiffs a copy of its Loss Control Manual.

ENTER:

Dated: August 21, 2008

_____/s/
GEORGE W. CANNON, JR.
U.S. MAGISTRATE JUDGE